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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,747	10/15/2003	James E. Hicks	705397.4008	8716

34313 7590 08/01/2006

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EXAMINER

KOSTAK, VICTOR R

ART UNIT PAPER NUMBER

2622

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/686,747

Applicant(s)

HICKS, JAMES E.

Examiner

Victor R. Kostak

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-8, 10-15, 19-21 and 23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-3 and 5-7 is/are allowed.
- 6) ☐ Claim(s) 19-21 and 23 is/are rejected.
- 7) ☒ Claim(s) 8, 10-15 and 21 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03/22, 26/04</u> . | 6) <input type="checkbox"/> Other: ____. |

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1. Regarding a first matter, since the IDS of 03/26/04 is a duplicate of the IDS filed on 03/22/04, the references listed on the later one have been crossed out (since they've already been considered).

2. Claim 14 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

The sole feature recited in claim 14 (i.e. the screen including a Fresnel lens) is already recited in base claim 8.

3. Claims 8, 10-15 and 21 are objected to because of the following informalities:

a) in claim 8 line 12, "patter" should be changed to -- pattern --; and

b) because claim 21 recites a second screen (in addition to the already recited projection screen), "the screen" (recited in the last line of the claim) has ambiguous antecedent basis.

Appropriate correction is required.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Or

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 19 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Thielemans et al.

Addressing broadest claim 19 first, Thielemans discloses a CRT projection system (noting Fig. 1) that includes a projection screen 2, plural CRTs 3-5, a recordable medium (non-volatile memory) comprising programming directed to convergence correction, and geometric alignment, as well as to other image adjustment processing (e.g. col. 3 lines 52 and 58-64; col. 4 lines 39-43; col. 5 lines 56-58; col. 6 lines 49-55 and 61-65; and col. 7 lines 21-26). A CCD camera 6 (e.g. col. 12 line 56) is optically coupled to the entire internally facing side of the projection screen 2 (e.g. col. 5 lines 42-44 and lines 62-65; col. 6 lines 65-67), and is operably coupled to the recordable medium (noting Fig. 17), thereby meeting claim 19.

As for claim 23, screen display hardware 110 is operably coupled to the recordable medium by way of interface 108, and includes three CRTs (noting again Fig. 1).

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thielemans et al. in view of Matsuzaki et al.

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Thielemans does not describe the projection screen 2 in any detail, thereby implying that it can be of any well known type and is not critical to the processing on which he focuses.

In view of this and in view of the fact that Fresnel lenses are commonly used in projection screens in CRT-type arrangements as specified by Matsuzaki (col. 1 lines 22-29), it would therefore have been obvious to one of ordinary skill in the art to use such a well known type of projection screen for scanning by the CCD of Thielemans.

6. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thielemans et al. in view of Hodges.

It would also have been obvious to one of ordinary skill in the art to use a roll-up type of screen in the system of Thielemans as taught by Hodges for the express benefits disclosed thereby (noting, e.g. col. 2 lines 50-58).

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Claims 1-3, 5-8 and 10-15 appear allowable over the prior art.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor R. Kostak whose telephone number is (571) 272-7348.

The examiner can normally be reached on Monday - Friday from 6:30am-3:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David W. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

Or faxed to:

(571) 273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office whose telephone number is (703) 308-HELP.



Victor R. Kostak
Primary Examiner
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VRK